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5 Attorneys for Defendants,
6 CITY OF OAKLAND, OAKLAND
POLICE DEPARTMENT, CHIEF WAYNE
7 TUCKER, SGT. BERNARD ORTIZ

8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**
12

13 MIGUEL ORTEGA, BENJAMIN ORTEGA,

14 Plaintiffs,

15 v.

16 CITY OF OAKLAND, OAKLAND POLICE
DEPARTMENT, WAYNE TUCKER, In His
17 Capacity as the Police Chief of the City of
Oakland, RAMON J. ALCANTAR, Individually
18 and in his capacity as a Police Officer for the
City of Oakland, B. ORTIZ, Individually and in
19 his capacity as a Police Officer for the City of
Oakland, DOES 1 THROUGH 200,

20 Defendants.
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Case No. C-07-02659 (JCS)

**DECLARATION OF KANDIS A.
WESTMORE IN SUPPORT OF MOTION
FOR SANCTIONS**

Date: August 8, 2008
Time: 9:30 a.m.
Dept.: Courtroom A, 15th Floor
The Honorable Joseph C. Spero

22 I, Kandis A. Westmore, declare:

23 1. I am an attorney licensed to practice before all courts of the State of California and
24 am employed as a Deputy City Attorney in the Office of the City Attorney. I am the attorney
25 assigned to handle law and motion matters for Defendants City of Oakland, Oakland Police
26 Department, Chief Wayne Tucker, and Sgt. Bernard Ortiz in the above-captioned action. The

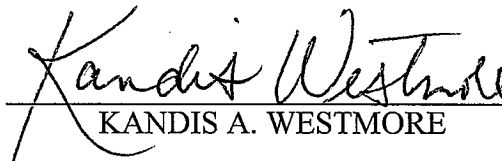
1 matters set forth herein are personally known to me to be true and if called upon, I could
2 competently testify thereto.

3 2. I have spent a total of 10 hours preparing the Motion to Strike the ninth cause of
4 action in the second amended complaint, including assembling exhibits for the request for judicial
5 notice in support of the motion, doing legal research for the motion, drafting the notice of motion
6 and memorandum of points and authorities in support of the motion and request for judicial notice
7 in support of the motion, and discussing and strategizing with Deputy City Attorney Charles Vose
8 on the preparation of the Motion to Strike.

9 3. My hourly billing rate is \$199.00 per hour. Based on my review of the
10 administrative records in my office, I have determined that Charles Vose's hourly rate is \$243 per
11 hour.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct.

14 Executed this 1st day of July, 2008, at Oakland, California.

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17 KANDIS A. WESTMORE
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